



UNITED STATES PATENT AND TRADEMARK OFFICE

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Paper No. 7

David Victor  
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Beverly Hills, California 90212

**MAIL**

JUN 14 2004

DIRECTOR OFFICE  
TECHNOLOGY CENTER 2100

In re Application of:  
D. A. Burton et al.  
Application No. 09/591,024  
Filed: June 9, 2000  
For: METHOD, SYSTEM, AND PROGRAM  
FOR SELECTING ONE OF MULTIPLE  
PATHS TO COMMUNICATE WITH A  
DEVICE

DECISION ON PETITION  
UNDER 37 C.F.R. § 1.8 TO  
ACCEPT PAPERS AS TIMELY  
FILED AND UNDER 37 C.F.R. §  
1.181 TO WITHDRAW HOLDING  
OF ABANDONMENT

This is a decision on the petition filed May 12, 2004 and June 09, 2004 under 37 C.F.R. § 1.181 requesting the Withdrawal of the Holding of Abandonment of the above-identified application. The petition is treated as a petition under 37 C.F.R. § 1.8(b) to accept papers as timely filed and as a petition under 37 C.F.R. § 1.181 requesting the Withdrawal of the Holding of Abandonment. (See MPEP § 711.03(c)).

The petition is **GRANTED**.

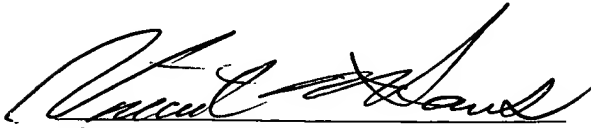
This application was held abandoned for failure to respond in a timely manner to the Office Action mailed August 27, 2003. A Notice of Abandonment was mailed March 25, 2004.

Petitioner's submissions of May 12, 2004 and June 09, 2004 considered together, meet the applicable criteria. Petitioner asserted that a Response to the Office action was filed in a timely manner on November 28, 2003. A copy of the originally submitted amendment and a Certificate of Transmission signed by David W. Victor dated November 28, 2003 have been provided. A personal statement of David W. Victor is submitted on June 9, 2004.

For the above stated reasons, the petition is **GRANTED**. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The application file is being forwarded to the Technology Center support staff for entry of the copy of the response. From there, the application will be forwarded to examiner to consider the amendment.

Any inquiry concerning this decision should be directed to Vincent N. Trans whose telephone number is (703) 305-9750.

A handwritten signature in black ink, appearing to read "Vincent N. Trans", written over a horizontal line.

Vincent N. Trans  
Special Program Examiner  
Technology Center 2100  
Computer Architecture, Software, and  
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703-305-9750